

**United States District Court, Eastern District of Washington**  
**Magistrate Judge Mary K Dimke**  
**Richland**

**USA v. ANDRES GUTIERREZ**

**Case No. 4:21-MJ-7015-MKD-2**

Richland Video Conference  
The Defendant agreed to appear via video conference.

**Initial Appearance on Complaint:**

**01/19/2021**

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| <input checked="" type="checkbox"/> Sara Gore, Courtroom Deputy [R]<br><input type="checkbox"/> Pam Howard, Courtroom Deputy [Y]<br><input checked="" type="checkbox"/> Erica Helms, US Probation / Pretrial Services Officer (tele)<br><input checked="" type="checkbox"/> Defendant present in custody, appearing by video from BCJ. | <input checked="" type="checkbox"/> Benjamin Seal, US Atty (video)<br><input checked="" type="checkbox"/> Robin Emmans, Defense Atty (video)<br><input checked="" type="checkbox"/> Interpreter – Natalia Rivera (video) |
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| <input checked="" type="checkbox"/> USA Motion for Detention<br><input type="checkbox"/> USA not seeking detention<br><input checked="" type="checkbox"/> Financial Affidavit (CJA 23) to be filed<br><input type="checkbox"/> The Court will appoint the Federal Defenders<br><input checked="" type="checkbox"/> Based upon conflict with Federal Defenders, the Court will appoint Robin Emmans, a CJA Panel Attorney for today's hearing until a (CJA 23) is filed for review.<br><input checked="" type="checkbox"/> PRE-Trial Services Report ordered | <input checked="" type="checkbox"/> Rights given<br><input checked="" type="checkbox"/> Acknowledgment of Rights to be filed<br><input checked="" type="checkbox"/> Defendant received copy of charging document<br><input checked="" type="checkbox"/> Defendant waived reading of charging document<br><input type="checkbox"/> Charging document read in open court<br><input type="checkbox"/> POST Pre-Trial Services Report ordered |
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**REMARKS**

Due to the current COVID-19 public health crisis, all parties including Defendant, are appearing by video or teleconference.

Defendant appeared and was assisted by counsel and advised of their rights and the allegations contained in the charging document.

The Defendant acknowledged to the Court that their true and correct name is: Andres Gutierrez.

Oral order issued confirming the Government's disclosure obligations under the Due Process Protections Act and the possible consequences of violation of said order. USA objects that the rule is overbroad and states the Government understands its discovery requirements. Court overrules objection. Written order to follow.

**The Court ordered:**

1. Defendant shall be detained by the U. S. Marshal until further order of the Court.

<b>Detention Hearing:</b> <b>01/22/2021 @ 3:00 p.m.</b> <b>[R/MKD] (Video Conf)</b>	<b>Preliminary Hearing:</b> <b>02/02/2021 @ 3:00 p.m.</b> <b>[R/MKD] (Video Conf)</b>
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